

## HEATHER M. LABOMBARDI

SHAREHOLDER

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### AREAS OF PRACTICE

Health Care Liability

### CONTACT INFO

**(973) 618-4177**

**[HMLabombardi@mdwcg.com](mailto:HMLabombardi@mdwcg.com)**

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425 Eagle Rock Avenue  
Suite 302  
Roseland, NJ 07068

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### ADMISSIONS

New Jersey  
2009

New York  
2009

U.S. District Court District  
of New Jersey  
2009

District of Columbia  
2010

U.S. Court of Appeals 3rd  
Circuit  
2013

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## OVERVIEW

### EDUCATION

Cooley Law School (J.D., with Distinction, 2008)

Nova Southeastern University (M.S. Management, 2006)

University of Miami (B.B.A., 2004)

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### HONORS & AWARDS

New Jersey Super Lawyers Rising Star 2016-2023

*The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

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### ASSOCIATIONS & MEMBERSHIPS

American Bar Association

New Jersey State Bar Association

New York Bar Association

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### YEAR JOINED

2016

As a member of the Health Care Department, Heather concentrates her practice on medical malpractice. She has spent the majority of her legal career defending physicians, nurses, health care providers and medical facilities against medical malpractice claims. Heather is involved in all aspects of a case, from the initial meeting through to the trial.

Heather has written several appellate briefs and argued multiple times before the Appellate Division, most notably in *Flood v. Aluri-Vallabhaneni*, 431 N.J. Super. 365 (App. Div. 2013). In this case, the Appellate Division recommended that the jury interrogatories for pre-existing injuries in New Jersey were recommended to be withdrawn and re-written in line with the jury interrogatories used in the *Flood* matter. In addition, Heather has assisted in obtaining numerous defense verdicts on behalf of her clients.

Heather graduated from the University of Miami in Coral Gables, Florida, with a Bachelor's of Business Degree. She then went on to obtain a Master's Degree in Management with a focus in leadership from Nova Southeastern University, H. Wayne Huizenga School of Business & Entrepreneurship in Fort Lauderdale. Heather then attended Western Michigan University Cooley Law School, where she graduated with Distinction and received her *juris doctor* in 2008.

### **Marshall Dennehey Announces 2024 Shareholder Class And Special Counsel Promotions**

December 19, 2023

Marshall Dennehey is pleased to announce that 10 attorneys have been elected shareholders of the firm effective January 1, 2024. Additionally, three attorneys have been promoted from associate to special counsel.

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### **New Jersey Courts Address Plaintiffs' Demands to Inspect Electronic Medical Records - Appellate Division Sides with Plaintiffs (with Restrictions)**

**Roseland**

**Electronic Medical Record & Audit Trail Litigation**

**October 1, 2023**

Plaintiffs have increasingly demanded to gain access to the Electronic Medical Records (EMR) of health care providers/facilities, citing Rule 4:18-1, and Rule 4:10-2(a), (g), and (f). Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Marshall Dennehey Announces 2023 New Jersey Super Lawyers and Rising Stars**

March 17, 2023

Eight attorneys from Marshall Dennehey's Mount Laurel and Roseland, New Jersey offices have been selected to the 2023 edition of New Jersey Super Lawyers magazine.

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### **Marshall Dennehey Announces 2022 New Jersey Super Lawyers and Rising Stars**

March 17, 2022

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Super Lawyers magazine.

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## **Vicarious Liability—Do You Really Need an Affidavit of Merit?**

**Roseland**

**Health Care Liability**

**May 6, 2021**

### **PUBLISHED WORKS**

"Vicarious Liability -- Do You Really Need an Affidavit of Merit?" *New Jersey Law Journal*, Medical Malpractice Supplement, May 6, 2021

"Civil Implications for Medical Practitioner of Sexual Contact with Patient," *New Jersey Law Journal*, May 15, 2017, co-author

"Does Patient Responsibility Still Exist? An Ongoing Problem Revisited," Giblin, E. and LaBombardi, H., July 2016

"Does Recent Literature Permit More Shoulder Dystocia Cases To Be Won?" Giblin, E., LaBombardi, H., and Brozon, J., October 2011

## RESULTS

### no-cause jury verdict secured in wrongful death trial

#### **Health Care Liability**

**March 24, 2026**

We successfully obtained a no-cause jury verdict in a 13-day wrongful death trial. The decedent, a 59-year-old man, was admitted to the emergency room on February 15, 2019, with complaints of abdominal pain, decreased appetite, and constipation, despite the use of laxatives. The patient did not complain of any nausea, vomiting, or diarrhea. He had a significant medical history including diabetes, hypertension, prior coronary artery stenting, morbid obesity (with past gastric bypass surgery), longstanding ventral hernia, and back pain.

### Unanimous Defense Verdict in Medical Malpractice Case

#### **Health Care Liability**

**September 13, 2023**

We secured a unanimous defense verdict in a three-week medical malpractice trial involving an allegedly botched total knee replacement. Through the testimony of our client and an expert, we were able to establish that all accepted standards of care were met. The jury deliberated for three days before returning its unanimous verdict.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

*Coniglio v. Marino*, A-6060-11T3, 2014 WL 3579655 (N.J. Super. Ct. App. Div. July 22, 2014)

*Flood v. Bhanu Aluri-Vallabhaneni*, 431 N.J. Super. 365 (App. Div. 2013)

*Kim v. Ahn*, 2013 N.J. Super. Unpub. LEXIS 1944